

Application Number:	09/605,979
Amendment Dated:	April 29, 2010
Office Action Dated	January 29, 2010

REMARKS

This paper is responsive to the Office Action dated January 29, 2010, for which a three (3) month period of response was given. The Applicants, by and through their attorney, respond as follows. No additional claims fees are believed due in connection with the filing of this paper. However, should any additional claims fees or other Petition fees be due the Commissioner is hereby authorized to treat this paper as the necessary Petition and is authorized to charge any fees due to Deposit Account No. 50-0959, Attorney Docket No. 089498.0314.

Claims 1 through 42 are pending in the present application. Claims 1 through 22 are original claims from issued United States Patent No. 6,021,524. Claims 23 through 42 have been added and support exists in the specification as originally filed. Given this, claims 23 through 42 have been presented in complete underlined form with the parenthetical "(added)".

Turning to claims 1 through 22, claims 1 through 15, 17 through 19, 21 and 22 have not been changed from the originally issued claims shown in United States Patent No. 6,021,524. As such, these claims contain no parenthetical per the rules contained in 37 C.F.R. §1.173 and MPEP §1453. Claims 16 and 20 of the original claim set have been amended and as such have been marked with the appropriately as "three times amended" and "twice amended," respectively.

Turning to the support issue, specific support for the amendment made to claims 16 and 20 can be found at, for example, column 8, lines 3 through 10; column 9, lines 3 through 14; and column 10, lines 6 through 17. As will be explained again below, these portions of issued United States Patent No. 6,021,524 disclose various techniques for forming various polymeric film layers that are then utilized to form gloves in accordance with the present invention. Given this, support exists in the specification of the originally issued patent to support amended claims 16 and 20, as well as added claims 23 through 42.

The Applicants' undersigned representative would like to thank the Examiner for the acknowledgement of the allowable subject matter of pending claims 1 through 15, 35 and 36.

I. The February 24, 2010 Telephone Interview:

The Applicant's undersigned representative would like to thank Examiner Vanatta for participating in a telephone interview on February 24, 2010. During the this telephone interview, the undersigned and Examiner Vanatta discussed the pending rejected claims and the 35 U.S.C. § 112, first paragraph, rejection of the term "nonwoven."

Based on the aforementioned telephone interview, Applicant's undersigned representative has amended claims 16 and 20 to eliminate the term "nonwoven" in favor of the phrase "polymeric film layer."

II. The Objection to the Specification:

The specification has been objected to for failing to provide proper antecedent basis for the term "nonwoven" as recited in claims 16, 20 23 and 32. As noted above, the term "nonwoven" has been replaced with the phrase "polymeric film layer." As such, this objection to the specification is believed to have been rendered moot, and withdrawal thereof is respectfully requested and is believed due.

III. The 35 U.S.C. § 112, First Paragraph, Rejection:

Claims 16 through 34 and 37 through 42 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner contends that the term "nonwoven" is not adequately supported or disclosed in the specification as originally filed.

Regarding this 35 U.S.C. § 112, first paragraph, rejection, without entering a discussion of whether or not the term "nonwoven" is, or is not, adequately supported or disclosed in the specification as, originally filed, Applicants' undersigned representative has replaced the term "nonwoven" with the phrase "polymeric film layer." As such, the 35

U.S.C. § 112, first paragraph, rejection to claims 16 through 34 and 37 through 42 is believed to have been rendered moot, and withdrawal thereof is respectfully requested and is believed due.

IV. The 35 U.S.C. § 102(b) Rejection:

Claims 23, 25, 32, and 34 have been rejected under 35 U.S.C. § 102(b) over Ozaki et al. (United States Patent No. 4,315,964). Specifically, the Examiner contends that Ozaki et al. discloses a polymeric film consisting of a polymeric layer and a nonwoven polymeric layer wherein the polymeric layer includes chopped fibers randomly dispersed therein. Furthermore, the Examiner contends that the nonwoven polymeric layer referred to in Ozaki et al. is devoid of chopped fibers.

Regarding Ozaki et al., Ozaki et al. teaches a glass fiber reinforced resin laminate structures that are clearly rigid in nature. This fact can be gleaned from the disclosure contained in the Description of the Prior Art section of Ozaki et al. As detailed therein at column 1, lines 30 through 37, Ozaki et al. discusses glass fiber reinforced sheets, be they corrugated or not, that are designed to form the “paneling” portion of a greenhouse structure. Given this, one of skill in the art would clearly recognize that Ozaki et al. does not disclose, teach or suggest a flexible polymeric film having increased cut resistance or an article formed therefrom, as is recited in added claims 23 and 32 (emphasis supplied). Since Ozaki et al. fails to disclose each and every feature of pending claims 23 and 32, Ozaki et al. cannot anticipate, or render obvious, claims 23, 25, 32, and 34. Accordingly, withdrawal of the 35 U.S.C. § 102(b) rejection of claims 23, 25, 32 and 34 over Ozaki et al. is believed due and is respectfully requested.

V. The 35 U.S.C. § 103(a) Rejections

Claims 23 through 27, 30 through 34 and 39 through 42 have been rejected under 35 U.S.C. § 103(a) over Eichhorn et al. (United States Patent No. 4,596,736). Specifically, the Examiner contends that Eichhorn et al. discloses a fiber reinforced resinous sheet which is thin and forms a “polymer film.” Further, the Examiner contends that the sheet comprises a

polymeric layer having chopped fibers randomly dispersed therein and the sheet also comprises a polymeric layer substantially devoid of fibers.

Turning to Eichhorn et al., Eichhorn et al. discloses laminate structures that are formed from a non-reinforced polymer core and outer layers formed from a fiber-reinforced resin. All of the structures disclosed in Eichhorn et al. have at least three layers. Additionally, as is disclosed at column 4, lines 32 through 36, the outer surface layers of the laminate structure of Eichhorn et al. are both disclosed to be rigid. Given this, one of skill in the art would clearly recognize that Eichhorn et al. does not disclose, teach or suggest a flexible polymeric film having increased cut resistance or an article formed therefrom, as is recited in added claims 23 and 32 (emphasis supplied). Since Eichhorn et al. fails to disclose, teach or suggest a flexible polymeric film having increased cut resistance, Eichhorn et al. fails to render obvious claims 23 through 27, 30 through 34 and 39 through 42.

Accordingly, for at least the above reason, withdrawal of the 35 U.S.C. § 103(a) rejection of claims 23 through 27, 30 through 34 and 39 through 42 over Eichhorn et al. is believed due and is respectfully requested.

VI. Conclusion:

Accordingly, reconsideration and withdrawal of the objection to the specification; the 35 U.S.C. § 112, first paragraph, rejection; the 35 U.S.C. § 102(b) rejection; and the 35 U.S.C. § 103(a) rejections are believed due and is respectfully requested.

For at least the foregoing reasons, claims 1 through 26 and 47 through 66 of the present application are believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

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Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

/Joseph J. Crimaldi/

Joseph J. Crimaldi, Reg. No. 41,690
Roetzel & Andress
222 South Main St.
Akron, Ohio 44308
(330) 376-2700

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